



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

May 15, 2020

**BY ECF**

The Honorable Jesse M. Furman  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Michael Avenatti*, 19 Cr. 374 (JMF)**

Dear Judge Furman:

The Government respectfully submits this letter on behalf of the parties, pursuant to the Court's Order entered on March 23, 2020, to advise the Court that the parties agree that ongoing public health concerns require an additional adjournment of the trial presently scheduled to begin on July 14, 2020.

In light of those ongoing concerns, the Government requests that a trial date be set for October 2020 or as soon thereafter as the Court's calendar will permit. The defendant believes that it is unrealistic to expect that criminal trials will proceed in October, and requests that a trial date be tentatively set for no earlier than January 2021, with the understanding that the date will likely have to be adjourned again. The parties jointly request an opportunity to advise the Court, approximately 60 days prior to any trial date set by the Court, whether, in light of the COVID-19 pandemic's effects on the Court's ability to convene a jury trial and the parties' abilities adequately to prepare for trial, ongoing public health concerns require a further adjournment of trial.

Additionally, the parties will amend the jointly agreed schedule for mutual pretrial disclosures to correspond to any new trial date the Court may set, and submit that schedule for the Court's endorsement.

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Finally, the parties jointly request that the Court exclude time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), between July 14, 2020, and any new trial date the Court may set in order to permit the defendant to adequately prepare for trial.

Respectfully submitted,

GEOFFREY S. BERMAN  
United States Attorney

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Mariel Colon Miro, Esq. (by ECF)

Application GRANTED. The trial date is ADJOURNED, at least for now, to October 13, 2020. No later than 60 days before that date, the parties shall submit a joint letter addressing whether the trial date should be adjourned again on account of the COVID-19 situation. No later than one week from today, the parties shall submit a proposed order - on ECF and in Word format by email - adjusting the pretrial deadlines to correspond to the new trial date.

The Court excludes time between today and October 13, 2020, under the Speedy Trial Act, finding that the interests in excluding that time outweigh the interests of the public and the Defendant in a speedy trial to ensure that both sides can prepare for trial in a safe manner and that the trial can be conducted safely.

The Clerk of Court is directed to terminate Doc. #50.

SO ORDERED.



May 15, 2020